

Regular Session, 2010

SENATE BILL NO. 733

BY SENATOR AMEDEE

MUNICIPALITIES. Provides for appeals by classified employees of certain municipalities.
(8/15/10)

AN ACT

To amend and reenact R.S. 33:2561(E), relative to appeals by employees in the classified service; to provide for the jurisdiction of appeals; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2561(E) is hereby amended and reenacted to read as follows:

§2561. Appeals by employees to the board

* * *

E. Any employee under classified service and any appointing authority may appeal from any decision of the board or from any action taken by the board under the provisions of this Part which is prejudicial to the employee or appointing authority. **This appeal shall lie direct to the court of original and unlimited jurisdiction in civil suits of the parish wherein the board is domiciled.** This appeal shall be taken by serving the board, within thirty days after entry of its decision, a written notice of appeal stating the grounds thereof and demanding that a certified transcript of the record or written findings of fact and all papers on file in the office of the board affecting or relating to such decisions be filed with the designated court. The board shall, within ten days after the filing of the notice of

1 appeal, make, certify, and file the complete transcript with the designated court, and
2 that court thereupon shall proceed to hear and determine the appeal in a summary
3 manner. This hearing shall be confined to the determination of whether the decision
4 made by the board was made in good faith for cause under the provisions of this Part
5 or to whether a board member should have or failed to recuse himself in accordance
6 with Subsection D of this Section. No appeal to the court shall be taken except upon
7 these grounds.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by James Benton.

DIGEST

Amedee (SB 733)

Present law provides procedures and processes relative to fire and police civil service law for small municipalities and for parishes and fire protection districts. Present law defines small municipalities as a municipality having a population of not less than 7,000 and not more than 13,000.

Present law provides that any employee under classified service and any appointing authority may appeal from any decision of the board or from any action taken by the board under the provisions of present law which is prejudicial to the employee or appointing authority.

Proposed law retains present law and provides that the appeal shall lie direct to the court of original and unlimited jurisdiction in civil suits of the parish wherein the board is domiciled.

Effective August 15, 2010.

(Amends R.S. 33:2561(E))